

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

JUNE 14, 2016

Assessing the Potential Impact of The Public Safety and Rehabilitation Act of 2016

Governor Jerry Brown's proposed November ballot measure, The Public Safety and Rehabilitation Act of 2016, would make some non-violent offenders eligible for earlier parole, and would provide judges the authority to try a juvenile as an adult. Specifically, this initiative would grant broad constitutional authority to the Board of Parole Hearings to consider granting parole to non-violent offenders who have served the full sentence for their primary offense, excluding additional sentences such as sentence enhancements. In addition, it would authorize the Secretary of Corrections to award prison inmates credits for good behavior and completing rehabilitative and educational programming. Finally, the initiative provides judges, rather than a prosecutor, the discretion to determine whether a juvenile should be tried as an adult and require a probable cause hearing.

This ballot initiative, which is close to certification, has the potential to impact the County of Los Angeles (County) and its constituents in significant ways. For example, the Legislative Analyst's Office (LAO) notes that to the extent early parole and additional credits expedite the prison release of non-serious, non-violent offenders, the measure would increase the County's costs to supervise these individuals in the community following their release. The LAO estimates that these costs could range

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from minor to the tens of millions of dollars annually for a period of years following the implementation of the measure, and declining to a few million dollars afterwards. According to the LAO, the juvenile provisions of this measure are likely to generate net costs to counties estimated at a few million dollars annually.

The Public Safety and Rehabilitation Act of 2016, if approved by voters, would provide specified individuals involved in the criminal justice system opportunities to re-enter their communities earlier. It is estimated that the early parole and credit provisions of this measure would allow the State to release as many as 25,000 individuals from State prison within the first few years of enactment. Many of these individuals will return to the County, where they will require the supervision and services of the County's criminal justice departments, as well as health, mental health, homeless prevention and other supportive services.

One concern is the potential impact on the number of people experiencing homelessness. According to the Los Angeles Homeless Services Authority's 2016 Homeless Count, 52% (15,908) of the unsheltered adult population was at one point in jail or prison, and 33% (799) of homeless youth were justice-involved. Ensuring that counties can effectively meet the needs of those that may be released from prison early and prevent harmful outcomes like homelessness from occurring is of utmost priority to the County.

Criminal justice reforms at the state level inevitably have an impact on counties – not only to their justice systems, but also to service delivery in areas such as housing, mental health and substance abuse. AB 109 and Proposition 47 are two examples of recent reforms that have changed the needs of justice-involved individuals at the County level. To effectively implement these policies, the County is putting considerable energy into understanding their impact on work load and cost savings/increases. Similarly, it is critical that the County assess the potential impact of The Public Safety and Rehabilitation Act of 2016 so that the County can humanely meet the needs of its residents, while preserving public safety.

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I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS: Direct the Chief Executive Officer, in collaboration with the District Attorney, Public Defender, Sheriff, Interim Chief Probation Officer, and Director of the Health Agency, to report back in writing to the Board of Supervisors in 45 days with an initial analysis of the potential short-term and long-term impact The Public Safety and Rehabilitation Act of 2016, if approved by voters, would have on the County of Los Angeles (County), its residents, and the individuals being released pursuant to this measure. This analysis should include a projection of the number of youth and adults impacted as well as a description of the effect the initiative could have on the County systems and departments serving this population.

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